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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,996	10/17/2001	Hidetaka Anma	Q66764	4505

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EXAMINER

NEGRON, ISMAEL

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 10/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/977,996	Applicant(s) ANMA ET AL. <i>JE</i>	
	Examiner Ismael Negron	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☒ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Title*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Vehicle Lamp Having Front Lens with Anti-Static Agent Coating.**

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "4" has been used to designate different parts in different embodiments. See Figures 1 and 2. Correction is required.

In addition, note the following:

- reference character "5" in Figures 1 and 2; and
- reference character "11" in Figures 1 and 2.

The applicant is advised that the reference characters must be properly applied, with no single reference character being used for two different parts or for a given part and a modification of such part. See MPEP §608.01(g). Correction is required.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 7. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action

Art Unit: 2875

to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. Applicant is further advised that this action only exemplifies the objections to the drawings, applicant's cooperation is requested in correcting all the occurrences of the cited, or any other errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 5-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 is indefinite as it is not clear with respect to what frame of reference is the front-end portion of the extension reflector disposed opposite to the front lens (lines 4 and 5).

Claims 6 and 7 are rejected for their dependency on rejected claim 5.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1, 2 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Temme et al. (U.S. Pat. 6,934,635).

Temme et al. discloses a vehicle headlamp having ;

- **a front lens**, Figure 1, reference number 3;
- **the front lens having a base material**, column 2, lines 36-39;
- **the front lens also having an anti-static material coating on the base material**, Figure 1, reference number 4;
- **the anti-static material being a surface-active agent**, Figure 1;
- **a light source**, Figure 1, reference number 2;
- **a lamp body**, Figure 1, reference number 1;
- **the lamp body having a front opening**, Figure 1; and
- **the front opening being covered by the front lens**, Figure 1.

Art Unit: 2875

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Temme et al. (U.S. Pat. 6,934,635).

Temme et al. discloses a vehicle headlamp having ;

- **a front lens**, Figure 1, reference number 3;
- **the front lens having a base material**, column 2, lines 36-39; and
- **the front lens also having an anti-static material coating on the base material**, Figure 1, reference number 4.

Temme et al. teaches all the limitations of the claims, except the front lens having an initial surface resistance of  $10^{13} \Omega/\text{cm}^2$  or less, or the anti-static agent being 2% wt of the base material of the front lens.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to obtain a front lens initial surface resistance of  $10^{13} \Omega/\text{cm}^2$  or lower, or making the antistatic agent 2% wt of the base material of the front lens, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2nd 272, 205 USPQ 215 (CCPA 1980). In this case, the use of anti-static coatings to increase conductivity of a base material to

Art Unit: 2875

prevent the accumulation of contaminants due to static charging, is old and well known in the art (as evidenced by Temme et al.). Determining the optimal values of the required conductivity to prevent accumulation, and the amount of material needed to be added to the base material, was considered a result of due experimentation.

In addition, it is noted that while the specification, as filed, states that the claimed 2% wt is sufficient to obtain the necessary conductivity range, the conductivity range is a function of both the composition and nature of the anti-static agent, and the amount of agent used.

8. Claims 1, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aikawa et al. (U.S. pat. 6,435,702) in view of Temme et al. (U.S. Pat. 6,934,635).

Aikawa et al. discloses a vehicle headlamp having:

- **a light source**, Figure 1, reference number 18;
- **a lamp body**, Figure 1, reference number 10;
- **the lamp body having a front opening**, inherent;
- **a front lens covering the front opening of the lamp body**,  
Figure 1, reference number 12;
- **a main reflective surface**, Figure 1, reference number 16;
- **a extension reflector**, Figure 1, reference number 24;
- **the extension reflector being operable to reflect light from the  
light source**, inherent;

- **a front end portion of the extension reflector being disposed in proximity to the front lens**, column 3, lines 52-54;
- **the extension reflector being provided with a metal film**, inherent; and
- **the extension reflector being formed separate from the main reflective surface**, Figure 1.

Aikawa et al. teaches all the limitations of the claims, except the front lens also having an anti-static material coating on the base material.

Temme et al. discloses a vehicle headlamp having:

- **a front lens**, Figure 1, reference number 3;
- **the front lens having a base material**, column 2, lines 36-39; and
- **the front lens also having an anti-static material coating on the base material**, Figure 1, reference number 4.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the front lens of Aikawa et al. with the coating of Temme et al. to prevent the accumulation of particles in the lens, as per the teachings of Temme et al. (see column 3, lines 3-11).

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aikawa et al. (U.S. pat. 6,435,702) in view of Temme et al. (U.S. Pat. 6,934,635).



The disclosures of Aikawa et al. and Temme et al. teach individually, or suggest in combination, all of the features of the claimed invention, except the extension reflector being made integrally with the main reflective surface.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the extension reflector integrally made with the main reflective surface, since it has been held that forming in one piece an article which has previously been formed in a plurality of pieces and then put together, involve only routine skill in the art and it is devoid of an inventive step. See *Howard v. Detroit Stove Works*, 150 USPQ 164 (1863).

#### ***Relevant Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Fraizer** (U.S. Pat. 5,010,458), **Ohtaki et al.** (U.S. Pat. 6,068,392), **Kaneda** (U.S. Pat. 6,102,557) and **Kinouchi** (U.S. Pat. 6,402,355) disclose vehicle headlamps having extension reflector in addition to main reflectors.

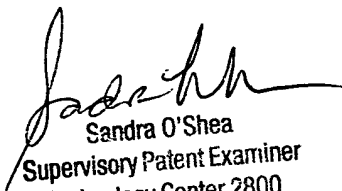
**McIlwraith** (U. S. Pats. 6,164,800 and 6,301,770), **Mukai et al.** (U.S. Pat. 6,266,490) and **Nishimoto et al.** (U.S. Pats. 6,270,615 and 6,450,675) disclose devices having light modifiers coated with anti-static agents to prevent dust particles from accumulating and decreasing performance.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800

Inr

September 25, 2002